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July 17, 2019

VIA ELECTRONIC CASE FILING ONLY

Honorable Justice Broderick
United States District Court, Southern District of New York
Thurgood Marshall United States Courthouse
40 Foley Square, Room 518
New York, New York 10007

Re: Melton v. Sollami
Docket No.: 1:19-cv-03247-VSB

Dear Honorable Justice Broderick:

Please accept this correspondence as a joint letter from the parties submitted as per order of this Court dated July 15, 2019.

Briefly, the plaintiff, Lisa Melton, commenced this action via the filing and service of a summons and complaint on March 4, 2019. Therein, the plaintiff claims that the defendant, Alfonso Sollami's, vehicle collided with her vehicle while driving East on Route 684 in Bedford, New York. The plaintiff claims that as a result of the collision, she sustained a "serious injury" within the parameters of Section 5102(d) of the Insurance Law. The defendant joined issue with the service of a Verified Answer and combined demands on or about April 22, 2019. Among the defendant's asserted defenses to the action, the defendant claims comparative negligence on the part of the plaintiff.

This Court has original jurisdiction pursuant to 28 U.S.C. § 1332, based upon the diversity of citizenship among the parties to the action. The plaintiff is a citizen of the State of Connecticut and the defendant is a citizen of the State of Alabama. In addition, the alleged accident giving rise to this action occurred in the State of New York, Town of Bedford. Finally, the amount in controversy exceeds \$75,000, exclusive of interest and costs, and Federal jurisdiction is appropriate pursuant to U.S.C. § 1332.

At this early stage of the litigation, the parties are unable to state with certainty whether dispositive motions shall be made. Once discovery is complete, the defendant will reevaluate his defense and consider the likelihood of success of a motion for summary judgment.

At this time, no discovery has been exchanged between the parties. The parties, however, are in the process of exchanging Rule 26 disclosures. These disclosures, as well as party depositions are necessary before settlement negotiations can be addressed.

At this time, the parties have not engaged in any settlement negotiations. The length of a trial in this matter is estimated at approximately 5 days.

In anticipation of the July 25, 2019 conference date, the parties request that this Court set a schedule for discovery to proceed, including party and non-party depositions to occur.

Thank you for your time, please do not hesitate to contact your undersigned with any questions or concerns.

Very truly yours,

Gregg D. Weinstock

Michael H. Joseph

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